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IDENTICAL LETTERS DATED 2 JUNE 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the horour to transmit to you herewith a letter dated 31 May 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of the aerial violations that have accompanied the fresh incursions into Iraq's territory by the Turkish armed forces and urging the United Nations to meet its responsibilities as laid down in the Charter and to halt the intimidation and aggression to which Iraq is constantly being subjected.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Identical letters dated 31 May 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

Further to my letter of 26 May 1997 concerning fresh incursions into the territory of the Republic of Iraq by Turkish armed forces (S/1997/399, annex), I should like to inform you that the Turkish aerial violations have been continuing. The details are set forth hereunder.

1. Between 0923 and 1440 hours on 23 May 1997, Turkish fighter aircraft violated the airspace of the Republic of Iraq with 16 sorties, carried out by eight two-aircraft formations. This aerial activity was centred on the Shaykhan, Amadiyah, Rawanduz, Irbil, Dokan and Pibu areas.

2. Between 0900 and 1455 hours on 24 May 1997, Turkish fighter aircraft violated the airspace of the Republic of Iraq with eight sorties. This aerial activity was centred on the Amadiyah, Rawanduz North, Pibu, Batufah and Sharanish areas.

3. Between 1200 and 1220 hours on 25 May 1997, Turkish fighter aircraft violated the airspace of the Republic of Iraq with two sorties. This aerial activity was centred on the Amadiyah, Zakho and Pibu areas.

4. Between 0815 and 1800 hours on 26 May 1997, Turkish fighter aircraft violated the airspace of the Republic of Iraq with 10 sorties. This aerial activity was centred on the Amadiyah, Tall Afar, Zakho, Pibu and Aqrah areas.

I should like to take this opportunity to refer to the letter dated 25 May 1997 addressed to you by the Deputy Prime Minister (S/1997/393). In that letter he referred to Security Council resolutions concerning Iraq, in particular resolution 687 (1991), which affirms the commitment of all Member States to the sovereignty and territorial integrity of Iraq. On that basis, the Turkish incursion into northern Iraq should be considered as a violation of Security Council resolution 687 (1991) and other Security Council resolutions concerning Iraq.

Nevertheless, the Secretary-General of the United Nations, you yourself in your capacity as President of the Security Council and the members of the Security Council have not yet taken any measures in regard to this aggression, apart from a brief statement issued by the Secretary-General that was not commensurate with the gravity of the Turkish action.

I should like to reaffirm here that the Security Council's failure to show any interest in these serious incidents poses many important questions with regard to the resolutions that the Council has adopted on Iraq. These resolutions have imposed a long series of harsh conditions and sanctions on Iraq, and raise legitimate queries as to just how serious the Security Council is with regard to the implementation of all provisions of its resolutions, and its double standards in dealing with those provisions.

While drawing the attention of yourselves and the members of the Security Council to this flagrant contradiction in the position adopted towards Iraq, and the obvious hostility to its sovereignty, rights and legitimate authority on the part of the States members of the Security Council, Iraq reserves its complete right to protect its sovereignty, territorial integrity and security.

In conveying to you the details of these Turkish violations, the Government of Iraq expresses its condemnation of such acts of military aggression. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the United States of America and its allies in northern Iraq.

As stated in my previous letter, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to determine an appropriate response to such brutal military aggression and to seek compensation for the damage caused by these Turkish breaches and violations of Iraq's territory and airspace and for the human suffering inflicted on Iraqi citizens by these acts of aggression. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbour to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq